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SUMMARY RECORD OF THE 9TH MEETING

Held at the Palais des Nations, Geneva,
on Friday, 22 March 1996, at 4.30 p.m.

Chairman: Mr. VERGNE SABOIA (Brazil)

CONTENTS

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (continued)

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The meeting was called to order at 4.50 p.m.

IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE THIRD DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 12) (continued) (E/CN.4/1996/71 and Add.1, E/CN.4/1996/72 and Add.1; A/50/476, A/50/493; E/1995/111 and Add.1)

1. Mr. LACOUL (Nepal) said that his country attached particular importance to the fight against racism and racial discrimination, which could never be justified under any circumstances. Nepal, which was a party to the International Convention on the Elimination of All Forms of Racial Discrimination, guaranteed equality of rights before the law under its Constitution. Nepalese society was composed of numerous ethnic groups with diverse cultures.

2. The size or economic strength of a country should not stop it from participating in the fight against racism and racial discrimination; his own country had played a very active role in the struggle against apartheid. It was disheartening to note that lack of human and material resources had hindered the implementation, by the Centre for Human Rights, of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, adopted by the General Assembly in its resolution 48/91. He hoped that the consultations being held by the Secretary-General with Member States and intergovernmental and non-governmental organizations on the possibility of holding a world conference on racism, racial discrimination, xenophobia and other contemporary forms of intolerance would be fruitful. Racial discrimination and government policies based on prejudice or racial superiority, in addition to constituting a violation of fundamental human rights, jeopardized friendly relations among peoples, cooperation among nations and international peace and security.

3. Miss HERNANDEZ QUESADA (Cuba) said that during the 1990s the best-known form of racial discrimination and exploitation - apartheid - had been eliminated. Unfortunately, that in no way signified that racism and discrimination in other parts of the world had ceased. At the dawn of the twenty-first century, the world was seeing a resurgence of old theories of the superiority of certain races, propagated by far-right political organizations and neo-nazi or fascist groups, which were allowed to disseminate their ideas with complete impunity, in the name of freedom of expression and association.

4. In that context, it was particularly important for States to withdraw any reservations to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, under which States parties were bound to declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred and all propaganda activities inciting racial discrimination.

5. It was also important to reverse the current trend whereby Governments, under pressure from anti-immigration movements, were cutting their social assistance programmes for immigrants and racial minorities.

6. It was necessary, in accordance with paragraph 18 of the Commission's resolution 1995/12, to provide the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance with

adequate assistance to permit him to fulfil his mandate and present a full report on his activities. Owing to a lack of resources, the Commission, at its current session, had not had all the necessary elements available to it, since only one report on the visits made by the Special Rapporteur in 1995 had been ready. Consideration of the Special Rapporteur's reports on the visits made during the previous year should be postponed until the fifty-third session.

7. In her view, all United Nations bodies involved in the implementation of the Programme of Action needed to take more resolute action and, in that regard, her country attached the utmost importance to the work of the Special Rapporteur and the holding of a world conference against racism, racial discrimination, xenophobia and related contemporary forms of intolerance. As the most Latin American of Cubans, José Martí, had stated in 1893: "Man has no special right by virtue of belonging to a particular race; rather, all rights are contained in the single word 'man'".

8. Ms. BUMGARNER (African Association of Education for Development), speaking on behalf of her own organization and the Anti-Racism Information Service, a small non-governmental organization based in Geneva, said that she wished to associate herself with the many other speakers who had urged that the Special Rapporteur should be provided with the human and material resources needed to fulfil his mandate effectively.

9. Women occupied a special place among the victims of racial discrimination since they were subjected to additional discrimination because of their sex. In developed countries immigration laws often linked the fate of immigrant women to that of their husband. A flagrant example was the situation in the United Kingdom, where an immigrant wife separated from a husband to whom she had been married for less than one year was in danger of expulsion. Such practices, inter alia, had been denounced in a recent report of the Southall Black Sisters (United Kingdom).

10. Hardly six months after the Beijing Conference, it was disheartening to note that very few Governments and NGOs were mentioning women's issues in their reports to the Commission. Women often suffered from discrimination in the areas of employment and education, as affirmed by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in his report on the situation of black women in Brazil. Women belonging to minority groups were even more disadvantaged.

11. She applauded the decision of the Centre for Human Rights to address the problem of incitement to racial discrimination, as referred to in article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination. It was intolerable that in the name of freedom of expression certain individuals and groups could, with complete impunity, preach racial hatred and disseminate racist misinformation. The Centre for Human Rights should investigate, jointly with the States parties and NGOs concerned, new legal interpretations of free speech in that context.

12. It was painfully evident that much work remained to be done in the area of racial discrimination. Some countries, such as the United States of America, were currently cutting their assistance programmes for minority

groups. The Russians were continuing their war against the people of Chechnya, even extending their attacks to Ingushetia. The situation in Burundi threatened to become another Rwanda and the Tibetan people still suffered from Chinese oppression.

13. To those speakers who objected to the political nature of the Commission's debates, she would answer that racial discrimination was very much a political question because it touched the very heart of a Government's responsibility to protect all its citizens. States repeatedly affirmed that discrimination was prohibited under their Constitution: in that area, it was time for theory to be reflected in practice.

The meeting rose at 5.15 p.m.